S.B. CR.MISC.BAIL APPL.NO.7004/2007.

Jakaria and anr.
Vs.
State

Date of order : 1/11/2007.

HON'BLE MR.JUSTICE MOHAMMAD RAFIQ

Shri Rahul Tiwari for the petitioners.
Shri Harshvardhan Nandvana PP for the State.

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Heard learned counsel for the petitioners, learned Public Prosecutor for the State and perused the relevant documents placed before me.

Learned counsel for the petitioners has argued that petitioners were arrested pursuant to the warrant of arrest issued by the court because of their absence from trial although on merits of the case they were granted bail earlier. The offences are triable by the court of Magistrate of Ist Class. They are in jail since 25/9/2007.

Learned Public Prosecutor has opposed the bail application and argued that in view of nature of allegation against the petitioners, they are not entitled to enlarged on bail during trial.

Without expressing any opinion on the merits of the case but taking into consideration the aforesaid arguments, I deem it appropriate to enlarge the petitioners on bail during trial.

In the result, this bail application u/S.439 Cr.P.C. is allowed and it is directed that petitioners Jakaria and Fazru sons of Idrish shall be released on bail in F.I.R. No.122/2000 P.S. Tapukada for offences under Sections 5 and 9 of the Rajasthan Bovine Animal (Prohibition of Slaughter and Regulation of Temporary Migration of Export) Act, 1995 subject to each of them furnishing a personal bond in the sum of Rs.30,000/- together with two sureties in the sum of Rs.15,000/- each to the satisfaction of the trial Court for their appearance before that court on all dates of hearing until conclusion of the trial.

(MOHAMMAD RAFIQ), J.

anil/-